



Allen Township Board of Supervisors

Meeting Minutes April 11, 2023 6:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, April 11, 2023 at 6:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. Roll Call:

Present: Dale Hassler; Gary Behler; Tim Paul; Jason Frack; B. Lincoln Treadwell, Jr., Esq; Ilene Eckhart, Manager; Maurin Ritinski, Administrative Assistant; Stan Wojciechowski, PE, CME; and Tom Gogle, Public Works Crew Leader (arrived at 6:03 PM)

Absent: Paul Link and Andrea Martin, EIT

2. **Announcements and/or Actions to Add New Items to Current Agenda:** Ms. Eckhart requested that the Board consider adding two (2) items to the agenda. Ms. Eckhart explained that the first item is regarding the Howertown Road Bridge Replacement Project and a request for a lease agreement. Ms. Eckhart reported that the second item is regarding time extensions for Willowbrook Phases 3 & 4 and Phase 5 plans. Mr. Behler made a motion to add the Howertown Road Bridge Replacement Project – Request for Lease Agreement and Willow Brook Farms Phase 3 & 4 and Phase 5 – Time Extensions to the agenda, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

3. **Public Hearings:** No public hearings.

4. **Public to be Heard:** No public comment.

5. **Approval of Minutes:** Mr. Behler made a motion to approve the minutes of March 14, 2023, March 16, 2023 and March 28, 2023; seconded by Mr. Frack. Mr. Hassler clarified that the reason for the extra set of minutes on March 16, 2023 is due to the capital improvements workshop meeting. On the motion, by roll call vote, all Supervisors present voted yes.

6. **Reports – All Reports with exception of the Treasurers Report noted as “on file”.**

A. **Treasurer:** Mr. Behler made a motion to approve the Treasurers Report and the Paying of the Bills; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. **Solicitor:** On file.

C. **Engineer:** On file.

D. Planning/Zoning/Code Enforcement: On file. The Board directed Ms. Eckhart to discuss the Willow Brook Farms Phases 3 & 4 and Phase 5 – Time Extensions, which was added to the agenda. Ms. Eckhart reported that Willow Brook Farms has granted for an extension of time on these phases to June 30, 2023. She indicated that Phases 3 & 4 have received a recommendation for preliminary approval from the Planning Commission. There has been no recommendation from the Planning Commission for Phase 5 at this time. Ms. Eckhart explained that the extension requests for both Phases 3 & 4 and Phase 5 are to June 30, 2023.

Mr. Behler made a motion to acknowledge the extension to June 30, 2023 for Willow Brook Farms Phases 3 & 4, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to acknowledge the extension to June 30, 2023 for Willow Brook Farms Phase 5, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

E. Road Superintendent/Public Works Leader: On file.

F. Fire Company: On file.

G. Emergency Management Coordinator: On file.

H. Parks: On file.

J. Nazareth Council of Government: On file.

K. First Regional Compost Authority: On file. Ms. Eckhart reported that FRCA held their first Mulch Madness event on March 24th and March 25th. This event was successful with a total of about 62 customers and 750-yards of mulch moved from the site. Ms. Eckhart indicated that FRCA will be holding a second Mulch Madness event for Earth Day. The event will take place on Friday, April 21st from 8AM – 4PM and April 22nd from 8AM – 1PM. Ms. Eckhart also reported that improvements are being made to the site. FRCA is looking to replace the modular trailer and extend public water service at the site if feasible and affordable from the City of Bethlehem for firefighting purposes. Ms. Eckhart also reported that the Allen Township Yard Waste Drop-Off Site for residents will begin Saturday hours this Saturday, April 15th from 8AM – 1PM.

L. Stormwater: On file.

7. Unfinished Business

A. Capital Improvements Plan – Allen Township Facilities:

i. Authorization to Proceed with Design Development and Construction Documents Phases pursuant to D’Huy Engineering, Inc. Agreement:

Ms. Eckhart indicated that the Township must make a decision on whether or not to proceed. Mr. Behler made a motion to proceed with design, development, and construction phases with D’Huy Engineering for the capital improvement project, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

ii. Authorization to Proceed with USDA Community Facilities Direct Loan Program Pre-Application:

Ms. Eckhart requested authorization to proceed with the USDA Community Facilities Direct Loan Program Pre-Application. Mr. Behler made a motion to authorize the Township Manager to proceed with the pre-application for the USDA Community Facilities Direct Loan Program, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

B. Traffic Counts and Video Surveillance Report Estimate – Mud Lane, Kohls Road, Millrace Road (Pertaining to Howertown Road and Indian Trail Road Bridge Replacement Projects Detours):

Ms. Eckhart reported that she contacted PennDOT regarding the two bridge replacement projects in order to request a baseline video and traffic counts. Ms. Eckhart indicated that this request was denied because these local roads are not part of PennDOT's official detour route. She reported that the official detours will be extensive. Ms. Eckhart fears that these detours will be problematic due to drivers following their GPS devices rather than the official detour routes. Ms. Eckhart has requested that the Township Engineer to prepare an estimate for traffic counts and video surveillance on these local roads in order to create a report and obtain a baseline. This will be useful if there is a need to claim damages in the future. Mr. Wojciechowski indicated that the cost for Barry Isett to complete this work will be \$3,600. Mr. Wojciechowski reported that this work will be started this week if the Board of Supervisors approve the estimate. Ms. Eckhart indicated that Mud Lane is a priority due to the Howertown Road Bridge Replacement Project commencing first. Mr. Behler made a motion to approve Barry Isett for the estimated cost of \$3,600 to complete the traffic counts and video surveillance of Mud Lane, Kohls Road, and Millrace Road, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. William C. Szupper/ W. Eugene Clater V. Frank & Dawn Bast/ Allen Township – Notice of Pending Filing of Complaint (Northampton County Court of Common Pleas):

Ms. Eckhart reported that she circulated the correspondence to the Supervisors via email and has provided a hard copy of complaint to Supervisors with a notice timeframe of 30-days. Mr. Treadwell indicated that there is no need for an executive session at this time. He explained that the complaint has not yet been filed. Mr. Treadwell indicated that 30-day's notice to the municipality is required under the Municipal Planning Code if a private property owner is planning to file a zoning complaint against another private property owner. He indicated that a draft of the complaint was provided but recommends that the Board wait to see the filed complaint. Mr. Treadwell explained that Allen Township may or may not receive a copy of the filed complaint as this will depend if Allen Township is named as a defendant. Mr. Treadwell stated that no action is required at this time.

D. ZHB Appeal 2023-02 – Tax Map K4-15-8A (Landis) – Interpretation of Family Farm Support Business and Request for Variance – Follow-up Discussion:

Ms. Eckhart reported that the appeal hearing is scheduled for April 20th and that the Board had previously authorized Mr. Treadwell to accompany Ms. Eckhart to this appeal hearing. Ms. Eckhart and Mr. Treadwell met with the property owner on Thursday last week. Mr. Treadwell reported that the meeting was productive and a decent amount of information was obtained. Ms. Eckhart had provided the property owner with the section of the ordinance regarding family farm support businesses and requested that he indicates how his use meets or does not meet these requirements as outlined in the code. Mr. Treadwell reported that the property owner was cooperative. He had explained to the property owner that the burning of materials that are not produced at the site is not permitted. Mr. Treadwell explained that the property owner will be writing a narrative and providing this to the Township to explain his use of

the property. The property owner informed Mr. Treadwell and Ms. Eckhart that the property is currently farmed. The property owner reported that he has plans to plant trees on the property and possibly have a tree nursery on the property. Mr. Treadwell reported that at this time the Township is waiting for a response from the property owner. Ms. Eckhart reported that the Zoning Hearing Board hearing is still scheduled for April 20th but that this may be continued. She indicated that the notice of violation is still valid. Ms. Eckhart indicated that it was addressed during with the property owner that he will need to have permits on file for the buildings that were constructed without permits. At this time there were no comments from Supervisors regarding this matter.

8. New Business:

A. Howertown Road Bridge Replacement Project – Request for Lease Agreement (*Item Added to Agenda*): Ms. Eckhart reported that she was contacted by the project manager for the Howertown Road Bridge Replacement Project. The project manager informed Ms. Eckhart that they are seeking a location for a temporary modular trailer to house the PennDOT inspectors and staff. Ms. Eckhart believes that this is required by the contract between PennDOT and the contractor. The project manager is seeking the Townships approval for the temporary modular trailer to be located at the Allen Township Fire Company property in the North West corner of the parking lot. She explained that this would be a 10' x 30' or a 10'x 50' regular office trailer along with a port-o-let. A temporary electric service from PPL would be required. Ms. Eckhart explained that the temporary modular trailer would be placed in late April and be onsite past the completion of the project. Ms. Eckhart reported that compensation was offered to the Township. The project manager suggested \$500 per month for the duration, which according the project manager indicated was reasonable. Mr. Hassler suggested allowing a temporary connection to the Fire Company Building for electric if the PennDOT was agreeable to paying more per month. Mr. Hassler suggested \$1,000.00 per month. Ms. Eckhart indicated that the temporary modular trailer would not be exempt for zoning and that a temporary structure permit would be issued for a term of six (6) months. Ms. Eckhart explained that a temporary structure permit is renewable twice by the Zoning Officer before the applicant must appear before the Board of Supervisors for a possible renewal and extension of the permit. Ms. Eckhart indicated that the approved location would be marked to ensure that the temporary modular trailer is placed in the correct location.

Ms. Eckhart reported that she has not yet heard back from the project manager for the Indian Trail Road Bridge Replacement Project. She stated that it would make sense if PennDOT inspections and staff used the same trailer for both projects. The Indian Trail Bridge Replacement Project project manager has not yet reached out for this type of request.

Mr. Behler indicated that he would like the temporary modular trailer as far away from residences as much as possible in order to limit the effects on residents. He stated that the port-o-let would not be Allen Township responsibility and expressed concerns with possible vandalism. The Board discussed possible options in lieu of a temporary modular trailer being placed on the property. Mr. Behler suggested renting out the Fire Company Building and also suggested offering use of the Field House at Howertown Park. Mr. Hassler was opposed to renting out the Fire Company Building and explained that this would impact Election Day. Ms. Eckhart voiced concerns regarding the impact that the detour will have during elections. She also indicated that there is another conflicting event. She explained that the Electronics Recycling Day will be held at the Fire Company Building in the parking lot on August 12th. Regarding Mr. Behler's suggestion of renting out the Field House, Mr. Wojciechowski explained that there may be a very specific contract where they are unable to accept

anything other than a temporary modular trailer. The Board was in favor of having the modular trailer placed on the far side of the parking lot so long as it did not interfere with Township or Fire Company business. Mr. Behler stated that he would like the user held responsible for any damages, including damages that may occur to the parking lot. Mr. Treadwell indicated that if the Board is agreeable with permitting a temporary modular trailer on the property then a short lease agreement with an indemnification clause could be created to protect the Township from liability. The Board discussed having Ms. Eckhart reach out to the project manager and presenting options to see what they are able to accept. Mr. Paul made a motion to have the Township Manager contact the contractor to see what options they can accept, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

9. Public to be Heard: No public comment.

10. Announcements: Ms. Eckhart reported to the Board that she has discussed the reopening of the dog park with Mr. Gogle. She indicated that there is still additional work that would need to be completed prior to the dog park reopening. Ms. Eckhart stated that she would like to have the grass cut twice before the reopening. Ms. Eckhart and Mr. Gogle have discussed the reopening date and suggested Friday, April 28th as the reopening date.

Mr. Hassler announced the upcoming meeting dates as follows:

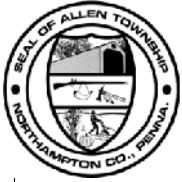
- Planning Commission – Monday, April 17, 2023 at 6:00 PM
- Board of Supervisors – Tuesday, April 25, 2023 at 6:00 PM
- Park and Recreation Board – Thursday, April 27, 2023 at 5:30 PM – Site Visits of Allen Township River View Preserve and Kreidersville Park

Mr. Behler clarified that the Park and Recreation Board will be starting their meeting at the Allen Township Municipal Building parking lot.

There being no further comments or business the meeting adjourned at 6:29 PM.

Respectfully submitted,

Ilene M. Eckhart



Allen Township Board of Supervisors

Meeting Agenda

Date: Tuesday, April 11, 2023 at 6:00 PM

Location: Allen Township Fire Company Building

3530 Howertown Road, Northampton, PA

The Allen Township Board of Supervisors Meetings will be held at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA.

A summary of the public comment policy and procedures is located on the last page of agenda as a reference for individuals wishing to address the Board during the "Public to be Heard" segments.

Note: Per Act 65 of 2021 requirements, this agenda was posted to the Township website and physical location of the proposed meeting, by Township staff on: April 6, 2023.

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

____ Tim Paul, Board Member

____ Stan Wojciechowski, PE, CME, Engineer

____ Jason Frack, Board Member

____ Andrea Martin, Engineer

____ Paul Link, Board Member

____ B. Lincoln Treadwell, Jr. Esq., Solicitor

____ Gary Behler, Vice Chairman

____ Ilene M. Eckhart, Manager

____ Dale N. Hassler, Chairman

4. Announcements and/or Actions to Add Items to Agenda

5. Public Hearings

6. Public to be Heard (Residents shall limit their comments to no more than three minutes)

7. Approval of Minutes (General Meetings: March 14th, 16th, and 28th, 2023)

8. Reports - All reports on file with exception of Treasurer's Report and Paying of the Bills.

A. Treasurer

B. Solicitor

C. Engineer

D. Planning/Zoning/Code Enforcement

E. Road Superintendent/Public Works Leader

F. Fire Company

- G. Emergency Management Coordinator**
- H. Nazareth Council of Government**
- I. Parks**
- J. First Regional Compost Authority**
- K. Stormwater**

9. Unfinished Business

- A. Capital Improvements Plan – Allen Township Facilities**
 - i. Authorization to Proceed with Design Development and Construction Documents Phases pursuant to DHUY Engineering, Inc. Agreement**
 - ii. Authorization to Proceed with USDA Community Facilities Direct Loan Program Pre-Application**
- B. Traffic Counts and Video Surveillance Report Estimate – Mud Lane, Kohls Road, Millrace Road (Pertaining to Howertown Road and Indian Trail Road Bridge Replacement Project Detours)**
- C. William C. Szupper/W. Eugene Clater V. Frank & Dawn Bast/ Allen Township – Notice of Pending Filing of Complaint (Northampton County Court of Common Pleas)**
- D. ZHB Appeal 2023-02– Tax Map K4-15-8A (Landis) – Interpretation of Family Farm Support Business and Request for Variance – Follow-up Discussion**

10. New Business

11. Public to be Heard (Residents shall limit their comments to no more than three minutes)

12. Next Meetings

- * Planning Commission - Monday, April 17, 2023 6 PM**
- * Board of Supervisors - Tuesday, April 25, 2023 6 PM**
- * Park and Recreation Board – Thursday, April 27, 2023 at 5:30 – Site Visits: Allen Township Riverview Preserve and Kreidersville Park**

13. Adjournment

-Public Comment Policy and Procedures-

- 1. A period for public comment will be held at the beginning of the meeting and at the conclusion of all agenda business items. Any public comments or questions shall be reserved until time on the agenda. Public comments and questions will not be permitted during the course of the Board's/Commission's business items.*
- 2. Individuals who speak must give their name, address and municipality prior to speaking.*
- 3. Time limit on length of public comment or presentation will be three (3) minutes per person, per meeting.*
- 4. A speaker will only be granted one three (3) minute extension, if given, for a maximum speaking time of six (6) minutes, at the discretion of the Chairman.*
- 5. Comments/questions shall be directed to the Board/Commission members only.*
- 6. Procedures will be in place to maintain proper decorum for the hearing. Public participation will be allowed but the Board will ensure respect for all citizens and maintain order. Personal attacks and outbursts will be ruled out of order. The Chairman of the Board or Commission may, within this discretion, rule out of order scandalous, impertinent, and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting.*
- 7. Individuals with lengthy written statements may submit them for the record and provide a verbal summary of three (3) minutes or less. Interested persons may email public comments via email, sent to manager@allentownship.org until 3:00pm local time the day of each meeting or by contacting the Township office. Public comment received via email will be read at the outset of the meeting. If you require an auxiliary aid, service or other accommodation, please contact the Allen Township offices in advance. In addition, an audio recording of the meeting will be posted to the Township website: www.allentownship.org within 48 hours of the meeting.*